

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**BECKER MEISEL LLC**

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Attorneys for Stacey L. Meisel,  
Chapter 7 Trustee  
STACEY L. MEISEL (SM9539)  
LAUREN E. BIELSKIE (LB7549)

In re:

SCOTT and GINETTE FORBES,  
  
Debtors.

Case No. 09-27371 (NLW)  
Chapter 7

**Judge: Hon. Novalyn L. Winfield**

**Hearing Date: January 22, 2013  
at 9:00 a.m.**

**ORAL ARGUMENT REQUESTED**

**NOTICE OF MOTION FOR AN ORDER: (I) AUTHORIZING THE CHAPTER 7 TRUSTEE TO SELL, BY PRIVATE SALE, THE REAL PROPERTY LOCATED AT 30 HOLLY DRIVE, LONG BEACH, NEW JERSEY, FREE AND CLEAR OF LIENS, CLAIMS, AND ENCUMBRANCES, WITH VALID LIENS, IF ANY, TO ATTACH TO PROCEEDS PURSUANT TO 11 U.S.C. § 363, AND AS FURTHER AGREED AND SET FORTH HEREIN; (II) REQUIRING THE DEBTORS TO COOPERATE WITH THE TRUSTEE'S SALE OF THE PROPERTY; (III) AUTHORIZING THE TRUSTEE TO EXECUTE A DECLARATION OF DEED RESTRICTION *NUNC PRO TUNC* TO AUGUST 15, 2012; AND (IV) WAIVING THE FOURTEEN-DAY STAY IN FED. R. BANKR. P. 6004(h)**

TO: Clerk, United States Bankruptcy Court  
Martin Luther King Federal Bldg.  
50 Walnut Street, Third Floor  
Newark, New Jersey 07102

ALL PARTIES ON THE CERTIFICATION OF SERVICE

**PLEASE TAKE NOTICE** that on the 22<sup>nd</sup> day of January, 2013, at 9:00 a.m., Becker Meisel LLC, attorneys for Stacey L. Meisel, the Chapter 7 Trustee (the “Trustee”), shall appear before the Honorable Novalyn L. Winfield, United States Bankruptcy Judge, at the United States Bankruptcy Court for the District of New Jersey, 50 Walnut Street, Newark, New Jersey seeking an *Order: (I) Authorizing The Chapter 7 Trustee To Sell By Private Sale The Real Property Located at 30 Holly Drive, Long Beach, New Jersey, Free And Clear Of Liens, Claims And Encumbrances With Valid Liens, If Any, To Attach To Proceeds Pursuant To 11 U.S.C. § 363 and as Further Agreed and Set Forth Herein; (II) Requiring the Debtors to Cooperate with the Trustee’s Sale of the Property; (III) Authorizing the Trustee to Execute a Declaration of Deed Restriction Nunc Pro Tunc to August 15, 2012; and (IV) Waiving the Fourteen-Day Stay in Fed. R. Bankr. P. 6004(h); and*

**PLEASE TAKE FURTHER NOTICE** that the undersigned shall rely upon the Verified Application submitted herewith;

**PLEASE TAKE FURTHER NOTICE** that pursuant to Local Rule 9013-2, it is hereby respectfully submitted that no brief is necessary in the Court's consideration of this Motion, as it does not involve a complex issue of law;

**PLEASE TAKE FURTHER NOTICE** that pursuant to Local Rule 9013-1(i), unless the Court authorizes or directs otherwise, prior to the return date hereof, no testimony shall be taken at the hearing on this Motion, except by certification or by affidavit;

**PLEASE TAKE FURTHER NOTICE** that in accordance with Local Rule 9013-1(d), opposition to the relief requested by this Motion and/or cross-motions, if any, shall be filed with the Clerk of the Bankruptcy Court and served upon Becker Meisel LLC within seven (7) days of the return date of this Motion;

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Local Rule 9013-1(a), this Motion shall be deemed uncontested unless responding papers are timely filed in accordance with Local Rule 9013-1(d); and

**PLEASE TAKE FURTHER NOTICE** that pursuant to Local Rule 9013-1(a) a proposed form of *Order* is submitted herewith.

**BECKER MEISEL LLC**  
Attorneys for Stacey L. Meisel, the  
Chapter 7 Trustee

By: /s/ Lauren E. Bielskie  
Lauren E. Bielskie

Dated: December 21, 2012